IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 2ND FEBRUARY 2007 / 13TH MAGHA 1928

WP(C).No. 31869 of 2006(R)

PETITIONER:

V.J.GEORGE JAISON, AGED 42 YEARS,
S/O. LATE V.G.JOSEPH, H.NO.1/206,
BLOCK 4, WARIYATH, CHERANALLOOR VILLAGE,
ERNAKULAM.

BY ADV. SRI.K.MOHAN
SRI.S.SOMAN
SRI.BAIJU JOSEPH

RESPONDENTS:

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1. THE SECRETARY,
CHERANELLOOR GRAMA PANCHAYATH,
CHERANALLOOR, ERNAKULAM.

2. THE DISTRICT COLLECTOR,
COLLECTORATE, KAKKANAD, ERNAKULAM.

3. JACOB, S/O. VARKEY, AGED 70,
WARIYATH HOUSE, CHERANELLOOR,
MANIPLANT ROAD, KOCHI-682 034.

4. JOHNSON, S/O. JACOB, AGED 40,
WARIYATH HOUSE, CHERANELLOOR,
MANIPLANT ROAD, KOCHI-682 034.

5. SUB INSPECTOR OF POLICE,
CHERANELLOOR, COCHIN-682 034.

R2 AND R5 BY G.P. SMT. BINDU
R3 AND R4 BY ADV. SRI.T.P.SAJAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 02/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 TRUE PHOTOCOPY OF JOINT RELEASE DEED DATED 10.11.2006 IN FAVOUR OF THE PETITIONER.

EXT.P2 TRUE PHOTOCOPY OF THE LAND RELINQUISHMENT FROM DATED 25.8.91

EXT.P2(A) TRUE PHOTOCOPY OF THE SURVEY PLAN TO SHOW THE LOCATION OF THE PROPERTY OF THE PETITIONER.

EXT.P3 TRUE PHOTOCOPY OF THE PETITION DATED 25.9.2006 FILED BEFORE THE 5TH RESPONDENT BY THE LATE FATHER OF PETITIONER.

EXT.P4 TRUE PHOTOCOPY OF THE PETITION DATED 3.10.2006 FILED BEFORE THE 2ND RESPONDENT BY THE LATE FATHER OF THE PETITIONER.

EXT.P5 TRUE PHOTOCOPY OF THE PETITION DATED 11.11.2006 FILED BEFORE THE 2ND RESPONDENT BY THE PETITIONER.

RESPONDENTS' EXHIBITS: NIL

TRUE COPY

P.S. TO JUDGE.

C.N.RAMACHANDRAN NAIR,J.

W.P.C.NO. 31869 OF 2006

Dated this the 2nd day of February, 2007

JUDGMENT

On hearing both sides, I am of the view that the matter is a pure civil dispute between the petitioner and the respondents, and therefore there is no scope for any direction to the first respondent to settle the dispute. However, if it is a matter of road for the public, I feel, Panchayat can intervene and try to settle the dispute for public benefit. WPC is closed.

(C.N.RAMACHANDRAN NAIR)
Judge